

INTERNATIONAL SEARCH REPORT

International application No.
PCT/NZ2004/000165

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl. 7: A61M 16/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
DWPI IPC A61M, A62B and keywords (mask, rest, cushion, pad, support, mount, forehead, brow) and similar terms

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6119693 A (KWOK et al) 19 September 2000 Whole document	1, 2
X	EP 1205205 A2 (GOTTLIEB WEINMANN GERATE FUR MEDIZIN UND ARBEITSSCHUTZ GMBH & CO) 15 May 2002 Whole document	1, 2
X	DE 10045183 A1 (MAP MEDIZINTECHNIK FUR ARZT UND PATIENT GMBH & CO KG) 16 May 2002 Whole document	1
X	US 2003/0066531 A1 (GRADON et al) 10 April 2003 Whole document	1-4

☒ Further documents are listed in the continuation of Box C

☒ See patent family annex

* Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search
26 August 2004

Date of mailing of the international search report - 3 SEP 2004

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INTERNATIONAL SEARCH REPORT

International application No.

PCT/NZ2004/000165

C (Continuation).

DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	US 2004/0045551 A1 (EATON et al) 11 March 2004 Whole document	1
P, X	WO 2004/022145 A1 (RESMED LIMITED) 18 March 2004 Page 20, lines 7-23 Figs. 63-66	1, 7, 9

INTERNATIONAL SEARCH REPORT

International application No.
PCT/NZ2004/000165

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
See extra sheet.

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☒ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/NZ2004/000165

Supplemental Box

(To be used when the space in any of Boxes I to VIII is not sufficient)

Continuation of Box No: III

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept. In coming to this conclusion the International Searching Authority has found that there are different inventions as follows:

1. Claims 1 to 5 are directed to a forehead rest for a respiratory mask including a deformable resilient member comprising a top surface and a base connected by two side walls, said top surface being substantially thicker than said side walls. It is considered that said top surface being substantially thicker than said side walls comprises a first "special technical feature".
2. Claim 6 is directed to a forehead rest for a respiratory mask including a deformable resilient member comprising a hollow conical shape. It is considered that the hollow conical shape of said deformable resilient member comprises a second "special technical feature".
3. Claims 7 to 10 are directed to a forehead rest for a respiratory mask including a user-adjustable deformable resilient member configured to in use rest against the face of a patient. It is considered that the adjustability of the deformable resilient member comprises a third "special technical feature".

It is noted that claim 11 is defined by the accompanying figures of the specification and, as such, unity of invention exists between claim 11 and each group of claims.

Since the abovementioned groups of claims do not share any of the technical features identified, a "technical relationship" between the inventions, as defined in PCT rule 13.2 does not exist. Accordingly the international application does not relate to one invention or to a single inventive concept, a priori.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/NZ2004/000165

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member			
US	6119693	US	6463931	US	2002148473
		US	2004060561	US	2003005935
EP	1205205	DE	10155152		
DE	10045183				
US	2003066531	AU	51876/01	AU	51877/01
		CA	2350351	CA	2350356
		CA	2407118	CA	2413938
		EP	1163923	EP	1163924
		EP	1302212	EP	1306098
		JP	2002028240	JP	2002095751
		NZ	514972	NZ	508219
		US	2003000533	US	2002005201
		US	2003111080	US	2003062048
		US	2003217746	US	2003154978
		US	2003217746	US	2003196659
		US	2003217746	US	2004035428
		WO	0195965	US	2004065327
		WO	0195965	WO	03022341
		WO	0195965	WO	03030978
US	2004045551	WO	2004021960		
WO	2004022145	EP	1334742	JP	2003175106
		US	2004112384	US	2003075180
		US	2004118406	US	2004112387
		WO	2004022147	WO	2004022144
				WO	2004022146

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

END OF ANNEX